



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF GENERAL SERVICES

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO, CALIFORNIA 93408 • (805) 781-5200

DUANE P LEIB, DIRECTOR

REQUEST FOR PROPOSAL PS-#913

San Luis Obispo County
Willow Road Project Implementation Plan

January 6, 2006

The County of San Luis Obispo is currently soliciting proposals for professional services to assist County staff in the preparation of a plan regarding the financing and implementation of the Willow Road extension and Highway 101 interchange project in the unincorporated community of Nipomo. Upon completion of the draft Willow Road Implementation Plan, the County may request additional services from the Consultant to assist with preparation of the Interim Infrastructure Financing Plan.

Each proposal shall specify each and every item as set forth in the attached specifications. Any and all exceptions must be clearly stated in the proposal. Failure to set forth any item in the specifications without taking exception, may be grounds for rejection. The County of San Luis Obispo reserves the right to reject all proposals and to waive any informalities.

If your firm is interested and qualified, please submit six (6) copies of your proposal by close of business on January 30, 2006 to:

County of San Luis Obispo
Jack Markey, Central Services
1087 Santa Rosa Street
San Luis Obispo, CA 93408

If you have any questions about the proposal process, please contact me. For technical questions and information contact Dana Lilley, Supervising Planner at (805) 781-5715.

JACK MARKEY
Supervising Buyer - Central Services Division

PROPOSAL SUBMITTAL AND SELECTION

1. All proposals, consisting of six (6) copies must be received by mail, recognized carrier, or hand delivered no later than close of business on January 30, 2006. Late proposals will not be considered.

2. All correspondence should be directed to:

San Luis Obispo County
Department of General Services
1087 Santa Rosa Street
San Luis Obispo, CA 93408
ATTENTION: Jack Markey, Buyer
Telephone: (805) 781-5905

3. Costs of preparation of proposals will be borne by the proposer.
4. It is preferred that all proposals be submitted on recycled paper, printed on two sides.
5. Selection of qualified proposers will be by an approved County procedure for awarding professional contracts.
6. This request does not constitute an offer of employment or to contract for services.
7. The County reserves the option to reject any or all proposals, wholly or in part, received by reason of this request.
8. The County reserves the option to retain all proposals, whether selected or rejected.
9. All proposals shall remain firm for sixty (60) days following closing date for receipt of proposals.
10. The County reserves the right to award the contract to the firm who presents the proposal which in the judgment of the County, best accomplishes the desired results, and shall include, but not be limited to a consideration of the professional service fee.
11. Selection will be made on the basis of the proposals as submitted. The Selection Committee may deem it necessary to interview applicants. The County retains the right to interview applicants as part of the selection process.
12. The proceedings of the Selection Committee are confidential. Members of the Selection Committee are not to be contacted by the proposers. All communication between proposer and the County shall be through Dana Lilley, Supervising Planner, (805) 781-5715.

PROPOSAL FORMAT

A qualifying proposal must address all of the following points:

1. Project Title
2. Applicant or Firm Name
3. Firm Qualifications
 - a. Type of organization, size, professional registration and affiliations.
 - b. Names and qualifications of personnel to be assigned to this project.
 - c. Outline of recent projects completed that are directly related to this project. Consultant is required to demonstrate specific design and project expertise relating to the requirements of the Project Scope.
 - d. Qualifications of consultants, subcontractors, or joint venture firm, if appropriate.
 - e. Client references from recent related projects, including name, address and phone number of individual to contact for referral.
4. Understanding of and Approach to the Project
 - a. Summary of approach to be taken.
 - b. Description of the organization and staffing to be used for the project.
 - c. Indication of information and participation the proposer will require from County staff.
 - d. Indication of time frame necessary to complete the plan review once a Notice to Proceed is issued.
5. Fees and Insurance
 - a. Propose total fixed fees to complete project as described under Project Scope.
 - b. The selected Consultant will be required to provide insurance coverage in the amount of \$1 million General Liability Insurance. This amount of insurance coverage shall be reflected in your estimated professional fee.

Proposal Format
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- c. The Consultant shall provide within five (5) days after the Notice of Award is issued a certificate of liability insurance naming the County of San Luis Obispo and its employees and officers as additionally named insured. This shall be maintained in full force and effect for the duration of the contract and must be in an amount and format satisfactory to the County.
- d. **Indemnification:**

Consultant shall defend, indemnify and hold harmless the County, its officers and employees from all claims, demands, damages, costs, expenses, judgments, attorney fees, liabilities or other losses that may be asserted by any person or entity, and that arise out of or are made in connection with the acts or omissions relating to the performance of any duty, obligation, or work hereunder. The obligation to indemnify shall be effective and shall extend to all such claims and losses, in their entirety, even when such claims or losses arise from the comparative negligence of the County, its officers and employees. However, this indemnity will not extend to any claims or losses arising out of the sole negligence or willful misconduct of the County, its officers and employees.

The preceding paragraph applies to any theory of recovery relating to said act or omission, by the Consultant, or its agents, employees, or other independent contractors directly responsible to Consultant including, but not limited to the following:

- 1. Violation of statute, ordinance, or regulation.
- 2. Professional malpractice.
- 3. Willful, intentional or other wrongful acts, or failures to act.
- 4. Negligence or recklessness.
- 5. Furnishing of defective or dangerous products.
- 6. Premises liability.
- 7. Strict Liability.
- 8. Violation of civil rights.
- 9. Violation of any federal or state statute, regulation, or ruling resulting in a determination by the Internal Revenue Service, California Franchise Tax Board or any other California public entity responsible for collecting payroll taxes, when the Consultant is not an independent contractor.

It is the intent of the parties to provide the County the fullest indemnification, defense, and Ahold harmless@ rights allowed under the law. If any word(s) contained herein are deemed by a court to be in contravention of applicable law, said word(s) shall be severed from this contract and the remaining language shall be given full force and effect.

Background

San Luis Obispo County has traditionally relied on federal or state grants, developer contributions and impact fees to facilitate construction of infrastructure needed to support new development. However, this approach has sometimes resulted in needed improvements being constructed after existing infrastructure capacity was exceeded. Resulting traffic congestion, flooding or other problems then increased local opposition to new development. In some cases, a single developer could not afford to finance infrastructure improvements needed to support development of a number of other properties, and as a result, that developer could not proceed. Also, some communities are now faced with existing infrastructure deficiencies that the County may be unable to require new development to resolve.

During strategic planning discussions conducted in February and March of 2005, the Board of Supervisors identified the challenges in financing and implementing infrastructure projects throughout the county as an important strategic issue. Because of existing and projected traffic problems, the Willow Road extension and Highway 101 interchange was recognized and characterized by the Board as a high priority concern. Recognizing that time is of the essence, the Board inquired and requested that staff evaluate alternative financing options in order to enable construction of the Willow Road extension and the Highway 101 interchange project to commence before sufficient Road Impact Fees were collected to pay for the entire project. Furthermore, in anticipation of population growth and traffic escalation throughout the county, the Board also directed staff to consider and evaluate any financing options available that would allow infrastructure construction before build out of particular areas of the county occurs.

County staff prepared a report (copy attached) that described a variety of financing options and the advantages and limitations of each. In addition to identifying financing schemes, staff proposed likely policies for consideration by the Board that should be applied with any financing options if they are implemented to fund infrastructure projects. Finally, staff recommended that the Board select the Willow Road project as a **pilot project** to test the value of developing financing plans for needed infrastructure projects. On November 8, 2004, the Board of Supervisors authorized the Directors of Planning and Public Works to initiate the following actions:

1. Prepare a recommendation and cost proposal to contract for specialized assistance in preparing an Interim Infrastructure Financing and Implementation plan as soon as possible.
2. Prepare a detailed implementation plan for the Willow Road extension and highway interchange improvements and submit that implementation plan to the Board of Supervisors on or about February 7, 2006;
3. Prepare an Interim Infrastructure Financing Plan (IIFP) for the eleven likely critical infrastructure projects and submit the IIFP to the Board of Supervisors on or about March 31, 2006;
4. Prepare budget proposals addressing the necessary staffing required for maintaining, updating and implementing infrastructure financing plans for fiscal year 2006-2007.

Project Scope

The County is requesting services to be provided by a consultant (or team of consultants) proficient in real estate feasibility, municipal financing of capital improvements, and municipal fiscal impact analysis to assist County staff in preparing the draft and final Willow Road project implementation plan. County staff will prepare preliminary for components of this plan and will request assistance from the Consultant as described below.

1. Assist County staff in preparing draft Willow Road Project Implementation Plan
 - a. Attend three meetings with County staff
 - i. Provide advice regarding appropriate financing techniques
 - ii. Provide advice regarding major tasks and time frames for potential financing techniques
 - b. Review preliminary draft Willow Road Project Implementation Plan
 - i. Identify any revisions to major financing provisions
 - ii. Identify detailed steps required to implement the plan
 - iii. Provide written commentary/opinion sections for the plan
 - c. Prepare fiscal impact analysis for both capital facility costs and ongoing costs for maintaining the facilities
 - d. Prepare memorandum to be attached to the plan presenting findings of fiscal impact analyses and associated key policy issues such as phasing of development, changes to land use mix, balance of financial contributions from public and private parties, among others.
 - e. Participate in presentation of Willow Road Project Implementation Plan during a public meeting of Board of Supervisors on or about February 7, 2006

Upon completion of the draft Willow Road Implementation Plan, the County may request additional services from the Consultant to assist with preparation of the Interim Infrastructure Financing Plan. The specific additional services to be provided by the Consultant include the following:

2. Assist County staff in preparing Interim Infrastructure Financing Plan
 - a. Attend three meetings with County staff
 - i. Provide advice regarding appropriate financing techniques
 - ii. Provide advice regarding major tasks and time frames for potential financing techniques
 - b. Review preliminary draft Interim Infrastructure Financing Plan
 - i. Identify any revisions to major financing provisions
 - ii. Identify detailed steps required to implement the plan
 - iii. Provide written commentary/opinion sections for the plan
 - c. Prepare fiscal impact analysis for both capital facility costs and ongoing costs for maintaining the facilities
 - d. Prepare memorandum to be attached to the plan presenting findings of fiscal impact analyses and associated key policy issues such as phasing of development, changes to land use mix, balance of financial contributions from public and private parties, among others.
 - e. Participate in presentation of Interim Infrastructure Financing Plan during a public meeting of Board of Supervisors on or about March 31, 2006
3. The County may also wish to retain the selected Consultant on a time-and-materials basis to assist with additional analysis beyond the defined work scope, including implementation one or more of the identified capital facility projects.

Information Available

The following information items have been included with this RFP:

- Description of Willow Road Project including components, phasing and cost estimates
- Existing and possible funding sources
- Staff report to the Board of Supervisors dated November 8, 2005
- Map showing location of Willow Road Project

Willow Road Project Costs and Phasing.

Willow Road Project Phase Cost & Schedule					
Year	Phase	Development Phase Cost ¹	Construction Phase Cost ¹	Totals	Cumulative Costs
2005					
2006	Design	\$1,500,000		\$1,500,000	\$1,500,000
2007	Right of Way	\$3,000,000		\$3,000,000	\$4,500,000
2008	Segment A		\$4,198,000	\$4,198,000	\$8,698,000
2009	Segment B		\$14,169,000	\$14,169,000	\$22,867,000
2010	Segment C		\$9,302,000	\$9,302,000	\$32,169,000
2011	Segment E		\$4,489,000	\$4,489,000	\$36,658,000
2012	Segment D		\$3,639,000	\$3,639,000	\$40,297,000
	Totals	\$4,500,000	\$35,797,000	\$40,297,000	
Notes:					
1 These are 2005 costs. Not adjusted for future inflation					

Existing and Possible Funding Sources

Woodlands Development – An agreement will be signed within the next 30 day in which the Woodlands is agreeing to advance their Road Improvement Fees per the following schedule. Their tentative map has been approved and homes are under construction.

Accelerated Fee Schedule

(Re: Condition 34 of the Development Plan
S990187U)

Payment Date	Amount
October 15, 2005	\$1,500,000
April 1, 2006	\$1,204,703
April 1, 2007	\$2,000,000
April 1, 2008	\$2,500,000
April 1, 2009	\$2,000,000
April 1, 2010	\$2,000,000
April 1, 2011	\$2,652,687
Total Fee	<u>\$13,857,390</u>

Notes:

1 The first payment shall be due no later than the date this Agreement is executed by all of the parties.

Crystal Oaks – This is a 276 acre project is near the proposed Willow Rd/ Hwy 101 interchange. The South County General Plan requires a specific plan for development. The developers are preparing the plan now and anticipated to be approved by late 2009 or early 2010.

Other Sources – STIP funding of \$6,000,000 has been requested for 2010 for the interchange portion of the project.

Road Improvement Area 1 – The collection of road improvement fees set forth in the California Government Code, Section 66000, was authorized in San Luis Obispo County by Ordinance 2379, Resolution 89-46 and subsequent resolutions. Following is a listing of the Road Improvement Fees adopted since FY 00/01.

Road Improvement Fee Area 1 Information							
December 21, 2005							
RIF Data				Permit Data			
Fiscal Year	Road Improvement Fee	Fee Implementation Date	Total Annual Fees Collected (FY)	Number of Residential Permits	Number of Commercial Permits	Number of Other Permits	Reporting Period
2000/01	\$3,444	November 30, 2000	\$413,289	250	10	12	3/00-2/01
2001/02	\$3,979	October 29, 2001	\$815,880	94	29	3	3/01-2/02
2002/03	\$3,979	October 28, 2002	\$980,687	116	27	0	3/01-2/03
2003/04	\$6,394	November 24, 2003	\$1,205,882	372	6	7	7/03-6/04
2004/05	\$6,835	November 22, 2004	\$1,338,493	200	6	0	7/04-6/05
2005/06*	\$8,557	February 14, 2006	\$927,966	102	1	10	7/05-12/05

* 6 months of data